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Message Text

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PAGE 01 DACCA 02106 111125 Z

46
ACTION OPIC-12

INFO OCT-01 NEA-10 ADP-00 EB-11 L-03 AID-20 TRSE-00 COME-00

DODE-00 INR-10 /067 W
---------- 034381
R 110930 Z MAY 73
FM AMEMBASSY DACCA
TO SECSTATE WASHDC 9694

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E. O. 11652: N/ A
TAGS: EAID BG
SUBJ: OPIC: VINNELL- ZACHRY- PERINI (VZP) CLAIM: LCM BOATS

FOR OPIC

REF: STATE 052188

SUMMARY: VZP MAY TAKE POSSESSION OF OPERABLE LCM BOAT WITHOUT HAVING TO TAKE AND PAY FOR UNAUTHORIZED REPAIRS ON SECOND INOPERABLE
BOAT. OPIC ASKED TO AUTHORIZE EMBASSY AS SOON AS POSSIBLE TO PERMIT VZP TO RECOVER GOOD BOAT AND ISSUE QUITCLAIM ON DAMAGED VESSEL IN FAVOR BANGLADESH ARMY ENGINEERS.

1. UPON RECEIPT REFTEL, EMBOFF INFORMED VZP OF OPIC' S VIEWSH, RECOVERY LCM' S 7-6 AND 7-7 (PARA 1 REFTEL). VZP APPARENTLY TOOK NO FURTHER ACTION RECOVER LCM BOATS PENDING APPRAISAL BY USAID ENGINEER.

2. ON APRIL 30, USAID ENGINEER SOL H. BROWN, WHO HAS HAD LONG EXPERIENCE WITH LCM BOATS, INSPECTED BOTH LCM' S, AT DIRECTION OF ACTING USAID COORDINATOR DAVID WILSON. BROWN DETERMINED THAT LCM 7-7 WAS NOT WORTH SALVAGING SINCE ITS ENGINES STRIPPED AND BOW DOOR WELDED SHUT. BROWN JUDGED THAT IT WOULD BE UNECONOMICAL TO REOUTFIT BOAT. MOREOVER, BROWN SUCCESSFULLY PERSUADED BANGLADESH
ARMY ENGINEERS OFFICIALS HAVING POSSESSION OF THW TWO LCM' S TO RELEASE 7-6 (WHICH OPERABLE) TO VZP (WHO WANTS USE IT IN DACCA-
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ARICHA BRIDGES PROJECT), BUT WITHOUT HAVING TO TAKE AND PAY FOR EARLIER INCURRED EXPENSES ON INOPERABLE LCM 7-7 (DACCA 1201).

3. BROWN RECOMMENDS THAT OPIC GIVE TITLE ON LCM 7-7 TO BANGLADESH ARMY ENGINEERS IN EXCHANGE FOR LATTER' S AGREEMENT ASSUME ANY AND ALL INDEBTEDNESS INCURRED THEREON TO DATE.

4. EMBASSY RECEIVED MAY 9 LETTER FROM VZP PROJECT MANAGER ERSKINE WHICH STATES VZP " PROCEEDING RECOVER LCM 7-6 - HIGGINS SER- C-124617 WHICH IS NOW IN POSSESSION OF THE BANGLADESH ARMY. 7-6 IS NOW IN OPERATING CONDITION. AFTER ITS RECOVERY AND EXAMINATION OF ITS CONDITION, WE WILL MAKE OFFER TO REPURCHASE IT CONSISTENT WITH OUR OFFERS ON PREVIOUS RECOVERIES". LETTER ADDS THAT IN JOINT CONVER-SATION WITH BROWN AND MAJOR MANNAN OF THE BD ARMY, IT WAS MUTUALLY AGREED (PENDING OPIC CONCURRENCE) " TO QUITCLAIM VZP 7-7 LCM, HIGGINS SER- C-124657 TO THE ARMY". VZP LETTER CONCLUDES: " UPON RECEIPT OF YOUR LETTER AS AGREED WITH MR. BROWN, WE WILL ADDRESS A QUITCLAIM TO THE BANGLADESH ARMY. WE PREFER TO MAKE PAYMENTS FOR THE (OPERABLE)
LCM IN TAKAS; KINDLY ADVISE IF THIS IS AGREEABLE".

5. GIVEN BROWN' S ASSESSMENT THAT LCM 7-7 INOPERABLE IN PRESENT CONDITION AND THAT IT UNECONOMICAL TO RESTORE BOAT TO OPERABLE CONDITION, GIVEN VZP' S LACK OF INTEREST IN USING THAT BOAT, AND GIVEN BD ARMY' S REPORTED WILLINGNESS TO FOREGO REPAAIR CLAIM ON BOAT
IF TITLE THEREON TRANSFERRED TO ARMY ENGINEERS, EMBASSY RECOMMENDS
FOLLOWING: (A) THAT OPIC AUTHORIZE EMBASSY RESPOND TO VZP' S MAY 9 LETTER BY GIVING VZP PERMISSION RECOVER LCM 7-6 PROVIDED THAT VZP AGREE TO REIMBURSE OPIC THEREFOR ON TERMS TO BE NEGOTIATED IN LINE WITH EARLIER RECOVERY NEGOTIATIONS, BUT GIVING OPIC OPTION TO ELECT REPAYMENT IN DOLLARS RATHER THAN TAKAS; AND (B) THAT OPIC AUTHORIZE EMBASSY TO INFORM VZP THAT IT MAY GIVE QUITCLAIM ON LCM 7-7 TO BD ARMY ENGINEERS, PROVIDED THAT ABSOLUTELY NO COSTS TO OPIC OR ANY OTHER USG AGENCY INCURRED THEREBY. FURTHER, VZP SHOULD GET ARMY' S AGREEMENT IN WRITING TO THIS CONDITION. (FYI WE HAVE HEARD OF INSTANCES WHEREIN IMPORTED ITEMS GIVEN TO BDG AS GRANT HAVE BEEN SUBJECTED TO BANGLADESH CUSTOMS DUTIES, PAYABLE BY DONOR. END FYI).
NEWBERRY

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*** Current Classification *** LIMITED OFFICIAL USE

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Disposition Date: 28 MAY 2004
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